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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

LIYONG LI and XIAOMING WANG,)	No. C 07-3653 SBA
)	
Plaintiffs,)	
)	
v.)	
)	
MICHAEL CHERTOFF, Secretary of the)	JOINT CASE MANAGEMENT
Department of Homeland Security;)	STATEMENT
EMILIO T. GONZALEZ, Director of U.S.)	
Citizenship and Immigration Services;)	
ROBERT S. MUELLER, III, Director of)	
Federal Bureau of Investigation;)	
CHRISTINA POULOS, Regional Director)	
of California Service Center, U.S.)	
Citizenship and Immigration Services;)	
PETER D. KEISLER, United States)	
Attorney General,)	
)	
Defendants)	
)	

The parties hereby submit the Joint Case Management Statement. The parties respectfully ask the Court to adopt the Statement without need for a Case Management Conference.

1. Jurisdiction and Service: There are no issues concerning personal jurisdiction or venue. Plaintiffs brought this Complaint under 8 U.S.C. §1447(b). All parties have been served.

2. Facts: On June 23, 2005, Plaintiffs applied for naturalization. On October 24, 2005, Plaintiffs were interviewed by the U.S. Citizenship and Immigration Services. On June 29, 2007,

1 Plaintiffs filed the instant Complaint. On October 10, 2007, Plaintiff Li was naturalized. Plaintiff
2 Wang's name check remains pending.

3 3. Legal Issues: The principal legal issue the parties dispute is whether the Court should
4 render a decision on Plaintiff Wang's naturalization application in the absence of a completed name
5 check. Defendants also contend that Plaintiff Wang's claim is not properly before the Court because
6 Plaintiffs are improperly joined.

7 4. Motions: None.

8 5. Amendment of Pleadings: None.

9 6. Evidence Preservation: None.

10 7. Disclosures: The parties agree that this Court's review will be confined to the
11 administrative record and therefore this proceeding is exempt from the initial disclosure
12 requirements under Fed. R. Civ. P. 26.

13 8. Discovery: There has been no discovery to date and the parties believe this matter can be
14 resolved without discovery. No experts will be designated.

15 9. Class Actions: Not applicable.

16 10. Related Cases: None.

17 11. Relief: Plaintiff Wang asks that the Court hear her case and render a declaratory
18 judgment that she is entitled to be naturalized. This case does not involve damages.

19 12. Settlement and ADR: The parties filed a Joint Request to Be Exempt From Formal ADR
20 on November 7, 2007.

21 13. Consent to Magistrate Judge for All Purposes: Defendants do not consent to assignment
22 of this case to a United States Magistrate Judge.

23 14. Other References: None.

24 15. Narrowing of Issues: None.

25 16. Expedited Schedule: The parties believe this matter can be solved through motions.

26 17. Scheduling: The parties suggest the following dates:

27 Defendants' Motion to Remand: January 8, 2007

28 Plaintiff's Opposition: January 22, 2007

Defendants' Reply:

January 29, 2007

The parties request the Court to take the matter under submission without oral argument. Should the Court desire oral argument, the parties respectfully suggest February 12, 2008, at 1:00 p.m.

18. Trial: Should the Court deny the motion to remand, the parties request the court to schedule a further case management conference to schedule a hearing date on Plaintiff's application for naturalization.

19. Disclosure of Non-party Interested Entities or Persons: None.

20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter: None.

Dated: November 20, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorneys for Defendants

Dated: November 20, 2007

/s/
LIYONG LI
Pro Se

/s/
XIAOMING WANG
Pro Se

ORDER

Pursuant to stipulation, IT IS SO ORDERED. The schedule set forth in the Case Management Statement is hereby adopted, and Defendants' Motion will be taken under submission at the close of briefing.. The Case Management Conference is VACATED.

Date:

SAUNDRA B. ARMSTRONG
United States District Judge

¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.